

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONNIE LEE MCDANIEL,

Plaintiff,

vs.

STATE OF NEVADA PAROLE BOARD,

Defendant.

Case No. 2:08-cv-01106-RCJ-PAL

REPORT OF FINDINGS AND
RECOMMENDATION

Plaintiff Ronnie Lee McDaniel ("Plaintiff") is proceeding in this action *pro se*. On August 21, 2006, Plaintiff filed an Application to Proceed *In Forma Pauperis* (Dkt. #1). The court approved Plaintiff's application and screened Plaintiff's complaint. The court entered an Order (Dkt. #2) on October 6, 2008, finding Plaintiff's complaint failed to state a claim for which relief could be granted, ordering the Clerk of Court to file the complaint, and dismissing the complaint with leave to amend. The court's order provided that Plaintiff's failure to file an amended complaint within thirty days could result in dismissal of this action. See Dkt. #2 at 4. A review of the docket in this case reveals that more than thirty days has passed since the Order was entered, and Plaintiff has not amended his complaint.

Based upon the foregoing,

IT IS RECOMMENDED that this case be dismissed without prejudice.

Dated this 8th day of December, 2008.

PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE